

DEC 06 2004

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<u>FROM:</u>	Charles B. Cappellari Gen-Probe Incorporated 10210 Genetic Center Drive San Diego, California 92121 Phone No. (858) 410-8927 Facsimile No. (858) 410-8928	<u>TO:</u>	Mail Stop RCE Examiner: Goldberg, J. Group 1634 <u>U.S. Patent &amp; Trademark Office</u> Facsimile No. (703) 872-9306
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Number of pages (including this cover page): 33

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In re Patent Application of:	)	Group Art Unit: 1634
	)	
CUNNINGHAM, et al.	)	Examiner: Goldberg, J.
	)	
Serial No. 09/954,695	)	Atty. Docket No. GP116-02.UT
	)	
Filed: September 11, 2001	)	Confirmation No. 8611
	)	
Title: COMPOSITIONS, METHODS AND KITS) FOR DETERMINING THE PRESENCE OF) CRYPTOSPORIDIUM ORGANISMS IN A) TEST SAMPLE	)	Date: December 6, 2004
	)	

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Attached hereto are:

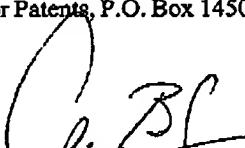
- 1) Transmittal Form (PTO/SB/21), (1 pg.);
- 2) Petition for Extension of Time (PTO/SB/22), in duplicate, (2 pgs.);
- 3) Request for Continued Examination (PTO/SB/30), in duplicate, (2 pgs.);
- 4) Fee Transmittal (PTO/SB/17), in duplicate, (2 pgs.); and
- 4) Reply Under 37 C.F.R. 1.114, (25 pgs.).

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Date: December 6, 2004

By:

  
Charles B. Cappellari  
Registration No. 40,937  
Attorney for Applicants

DEC 06 2004

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

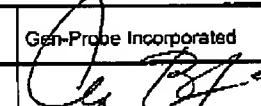
(To be used for all correspondence after initial filing)

TRANSMITTAL FORM	Application Number	09/954,695	
	Filing Date	September 11, 2001	
	First Named Inventor	Melissa M. Cunningham	
	Art Unit	1634	
	Examiner Name	Goldberg, J.	
Total Number of Pages in This Submission	33	Attorney Docket Number	GP116-02.UT

## ENCLOSURES (Check all that apply)

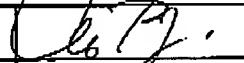
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):  Facsimile cover sheet (1 pg.) Request for Continued Examination, in duplicate, (2 pgs.)
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Charles B. Cappellari		
Date	December 6, 2004	Reg. No.	40,937

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Charles B. Cappellari
Date	December 6, 2004

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# FEE TRANSMITTAL

## for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,220.00)

## Complete if Known

Application Number	09/954,695
Filing Date	Sept. 11, 2001
First Named Inventor	Melissa M. Cunningham
Examiner Name	Goldberg, J.
Art Unit	1634
Attorney Docket No.	GP116-02.UT

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number

07-0835

Deposit Account Name

Gen-Probe Incorporated

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 385	Utility filing fee			
1002 350	2002 175	Design filing fee			
1003 550	2003 275	Plant filing fee			
1004 790	2004 395	Reissue filing fee			
1005 150	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3*** =	X	=

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

\*\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 55	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	Filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			430.00
1252 430	2252 215	Extension for reply within second month			
1253 980	2253 490	Extension for reply within third month			
1254 1,530*	2254 765	Extension for reply within fourth month			
1255 2,080	2255 1,040	Extension for reply within fifth month			
1401 340	2401 170	Notice of Appeal			
1402 340	2402 170	Filing a brief in support of an appeal			
1403 300	2403 150	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,370	2501 685	Utility issue fee (or reissue)			
1502 490	2502 245	Design issue fee			
1503 660	2503 330	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))			
1801 790	2801 395	Request for Continued Examination (RCE)			790.00
1802 900	1802 900	Request for expedited examination of a design application			
Other fee (specify)					
Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					1220.00

(Complete if applicable)

SUBMITTED BY				
Name (Print/Type)	Charles B. Cappellari	Registration No. (Attorney/Agent)	40,937	Telephone 858-410-8927
Signature		Date		Dec. 6, 2004

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Attorney Docket No.	GP116-02.UT

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 Charge fee(s) indicated below  Credit any overpayments  
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Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 1220.00)			

(Complete if applicable)

SUBMITTED BY	Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Signature	Charles B. Cappellari	40,937	858-410-8927

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PAGE 8/33 \* RCVD AT 12/6/2004 5:35:50 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/3 \* DNI:8729306 \* CSID:+18584108928 \* DURATION (mm:ss):09:58